



State of Vermont
Vermont Department of Education
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To: Superintendents
Special Education Directors
Business Managers

From: Margaret C. Schelley
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Date: August 25, 2009

Subject: FY-2011 Special Education Service Plan

Field Memo No.: 09-10

Enclosed you will find the forms and instructions for the FY-2011 Special Education Service Plan. The deadline for submitting the FY-2011 Service Plan is October 15th, 2009. It is important that the deadline for submission is followed in order for the Department to compile the information for the FY-2011 formula revenue projections which are due back to supervisory unions on December 15th, 2009. If the Service Plan is not received by the deadline, the Department is authorized to withhold funds due the supervisory union or its member school districts until the Service Plan is filed and accepted by the Department.

Service Plan Changed to Incorporate Proposed Change to Eligible Cost Rule

We have made very few changes to the service plan forms. Besides a few wording changes, the forms are unchanged except for Section B, Part 1. The changes on Section B, Part 1 relate to the proposed change in the eligible cost rule. The proposed rule relates to special educators and paraprofessionals providing “mainstream” special education instructional services. Under the current rule, core staff FTEs were established for professionals and paraprofessionals that could be assigned each year to individual staff members to cover time spent providing any combination of IEP, 504 and EST services which was generally used to provide non-IEP services.

The proposed rules which is out for public comment is as follows:

- (1) Salaries and benefits of special education instructional staff as follows:
 - (a) Licensed special education teachers and speech language pathologist in proportion to the time that they carry out special education responsibilities which is allowed to include up to 25% of their time for providing any combination of the following services - services required for EST or 504 plans, providing service to small groups not to exceed eight students in which the majority of the students are receiving IEP services, or services through an approved co-teaching model with a regular educator as specified in a student’s IEP.

- (b) Instructional aides in proportion to the time that they carry out special education responsibilities which is allowed to include up to 20% of their time for providing any combination of the following services – services required by students' EST or 504 plans or providing services to small groups not to exceed eight students in which the majority of students are receiving IEP services.

This allows the cost of special educators providing services under a co-teaching model to be counted as special education eligible cost. Also the flexibility to serve non-special education students has changed from a fixed number of FTEs based on staffing levels from the early 1990's to being based on an additional percentage (25% for professionals and 20% for paraprofessionals) based on time spent providing special education services to special education students in accordance with their IEPs.

As the rule is currently out for public comment, they may well be changes to the proposed rule before it becomes final. We are aware that it is somewhat confusing to be preparing the Service Plan for a year that the eligible cost rule is not set for but there is really no other option. If there is a clear direction for the final version of the eligible cost rule before the service plans are due, we will provide you with additional information. The change to the form is to eliminate the core staff blocks for FY-2011 which assumes that some version of the rule will be adopted.

There are some wording changes in the instructions to clarify issues that have arisen during last year's service plan process. We hope you will take the time to read the instructions before completing the forms.

Electronic Version of the FY-2011 Service Plan Forms

The electronic version of the forms is being sent to the Special Education Directors and the Business Managers. We will be sending out the service plan package in paper format to the Special Education Directors also as soon as the information is printed.

Please be sure to use the FY-2011 version of the forms included with this memo when the service plan is submitted. Electronic versions of the forms will be available on the Department of Education web site soon. For questions on Sections A, Parts 3-5, contact Mike Bailey at 828-3132. If you have questions about any other parts of the service plan, please feel free to contact me at 828-5119.

Attachments